

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 116 N. Hoover Road, Durham,
 Durham County, North Carolina 27704

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Case No. 1:19MJ177

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Middle District of North Carolina
 (identify the person or describe the property to be searched and give its location):

See Attachment B, incorporated herein by reference.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment D, incorporated herein by reference.

YOU ARE COMMANDED to execute this warrant on or before June 7, 2019 (not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

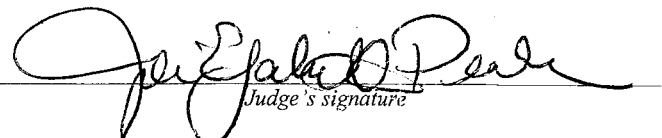
The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Joi Elizabeth Peake
 (United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued:

5/24/2019 5:20pm


 Judge's signature

City and state:

Winston-Salem, North CarolinaJoi Elizabeth Peake, United States Magistrate Judge

Printed name and title

Attachment B

The business is located at 116 N. Hoover Road, Durham, County of Durham, North Carolina 27703, within the Middle District of North Carolina, and is further described as a compound of single-story storage units behind a locked fence and gate. Storage Unit 101 is in the building located in the southeast corner of the fenced in business compound. Storage Unit 101 faces west and is further marked below with an X.



Attachment D

This warrant authorizes (i) the search of SUBJECT PREMISES B as described in Attachment B for only the following and (ii) authorizes the seizure of the items listed below only to the extent they constitute the following:

- A. evidence of violations of Title 18 U.S.C. Section 2314 (Interstate Transportation of Stolen Property) and Section 371 (Conspiracy), hereinafter referred to as the "SUBJECT OFFENSES;" or
- B. any item constituting contraband due to the SUBJECT OFFENSES, fruits of the SUBJECT OFFENSES, or other items possessed whose possession is illegal due to the SUBJECT OFFENSES; or
- C. any property designed for use, intended for use, or used in committing any SUBJECT OFFENSES.

in the form of:

1. Notes, documents, business records, payment records, or correspondence, including originals or copies, relating to the apparent business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz, involving the purchase, sale, or transportation of cooking oil; and

2. Diaries, contacts and address books, and other documents containing the names and addresses of individuals who may have been contacted by CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

3. Records evidencing occupancy or ownership of the SUBJECT PREMISES B described above, including, but not limited to, utility and telephone bills, mail envelopes, or addressed correspondence; and

4. Immigration forms or applications, Internal Revenue Service forms or documents, business forms or documents, state or country driver licenses or identification documents or copies of such documents, and other documents relating to statutes or regulations which govern a person's entry into, stay, or employment in the United States (U.S.), if such documents appear related to the business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

5. Foreign passports, U.S. or foreign birth certificates or copies of such documents, and U.S. or foreign visa or entry permits or copies of such documents, if such documents appear related to the business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

6. Business documents, government forms and applications, correspondence, and photographs which identify any potentially unidentified co-conspirators involved in the interstate transportation of stolen property or the business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

7. Documents relating to the leasing or purchase of real property, personal property, or vehicles, including lease agreements, lease payments, real or personal property purchase agreements, if such documents relate to the business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

8. Documents identifying any potential subsidiary businesses owned or operated by any identified operator or employee of CLEAN RECOVERY and SIN SERVICES, including but not limited to Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz; and

9. Forms, job applications, notebooks, photographs, payrolls records, or other documents which identify the employers, operators, supervisors, employees, and contractors of CLEAN RECOVERY and SIN SERVICES; and

10. United States currency and other financial instruments related to the purchase, sale, or transportation of cooking oil, including financial proceeds from the operation of CLEAN RECOVERY and SIN SERVICES; and

11. Financial records and data showing business and personal assets and cash flow, including, but not limited to: income statements, cash receipt journals, bank statements, deposit slips, canceled and un-canceled checks, check stubs, check registers, tax returns, general journals, and correspondence about financial matters, related to the purchase, sale, or transportation of cooking oil and business activities of CLEAN RECOVERY, SIN SERVICES, Salvador Ibarra-Escalante, Ruth Nava-Abarca, or Florentino Valencia-Tepoz involving the purchase, sale, or transportation of cooking oil; and

12. Documents, personal effects, or physical evidence at the location of the search tending to show dominion and control over SUBJECT PREMISES B, including

keys, fingerprints, clothing, handwriting exemplars, lease agreements, utility records, mail, items containing forms of identification such as a person's name, photograph, Social Security number or driver's license number, and, information which can be obtained by answering and listening to incoming phone calls during execution of the search and seizure warrant; and

13. The devices and the electronically stored contents of any computer, cell phone, or other electronic data processing and storage device capable of electronically storing, processing, generating, recording, or maintaining the kinds of documents, forms, records, business records, and correspondence identified in Items 1 through 9 and Items 11 through 12 above (as well as electronic forms of correspondence, such as e-mails);

- a. The computers, cell phones, and other electronic data processing and storage devices referenced in Item 13 above shall including but not be limited to following kinds of devices: cell phones, desktop computers, laptop computers, handheld computers, central processing units, computer towers, servers, hard drives, external and portable hard drives, USB flash drives, telephones, answering machines, fax machines, computer modems, pagers, and other telecommunications devices, CD-Rs, CD-RWs, DVDs, floppy disk drives and diskettes, tape drives and tapes, zip drives, SD cards, optical storage devices, dongles, encryption keys, personal data assistants, peripheral input/output devices such as keyboards, printers, video display monitors, optical readers, digital communication devices such as modems, routers, associated telephone sets, speed dialers, and other controlling devices, plotters, software to run programs, connecting cables and plugs, peripherals and input devices, such as joysticks, computer mice, scanners, and digital writing pads;
- b. Items also authorized to be seized include system documentation, operating logs and documentation, software manuals, computer passwords, hot keys, data security devices and software, connecting switches, connecting cables, wires, and power supplies, and interface devices for each of the devices identified in Item 14 above;
- c. Items also authorized to be seized include software, stored on any type of medium such as hard disks, floppy disks, CD-Rs, CD-RWs, DVDs, cassette tapes, or other permanent or transient storage medium which is designed for or necessary for the use of the devices identified in Item 13 above;
- d. While the seizure of the electronically stored contents of all devices identified in Item 13 above is authorized by this search and seizure

warrant, a search of those contents is not authorized by this search and seizure warrant and a future search warrant would have to be issued for the search of the contents of any device, with the following exception:

- i. In order to ensure that the electronically stored contents and data contained on the devices identified in Item 13 are not altered or destroyed by their removal from SUBJECT PREMISES B, law enforcement agents and officers involved in the search of SUBJECT PREMISES B under the authority of this search and seizure warrant shall be authorized to make forensic copies of the electronically stored contents using digital extraction devices and software, or through other forensically sound means, in order to protect and preserve the contents, but not to search the contents, except that such individuals may view limited device data to the extent necessary to perform the digital extraction and make a forensic copy;
- ii. In order to make such forensic copies of electronically stored contents referenced immediately above, law enforcement agents and officers involved in the search of SUBJECT PREMISES B shall be authorized to employ other officers, civilian employees of any law enforcement organization, or outside experts to forensically access, copy, and preserve data, but not to search the contents.